



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

COPY MAILED

JAN 17 2008

GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO, CA 94080

OFFICE OF PETITIONS

COPY MAILED

JAN 17 2008

OFFICE OF PETITIONS

In re Application of
Henry Chiu et al
Application No. 10/614,853
Filed: July 8, 2003
Attorney Docket No. P1973R1

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 17, 2007, to revive the above-identified application.

The petition is **GRANTED**.

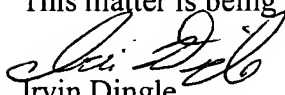
The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed February 23, 2007, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on May 24, 2007.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$1020 extension of time submitted with the petition on September 17, 2007 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

This matter is being referred to Technology Center AU 1647 for further processing.


Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Ginger R. Dreger
Heller Ehrman LLP
275 Middlefield Road
Menlo Park, CA 94025